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PTO/SB/21 (02-04)

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission	Application Number	09/831,272
	Filing Date	August 31, 2001
	First Named Inventor	Christopher KIRCH
	Art Unit	1633
	Examiner Name	Marvich, Maria
	Attorney Docket Number	9730-1

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
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<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
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<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
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Remarks

The Commissioner is authorized to charge any fee deficiencies to Deposit Account No. 50-0951

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Nicholas Zachariades Reg. No. 56,712
Signature	
Date	May 5, 2006

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THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of: Christopher KIRCH et al.

Application No.: 09/831,272

Examiner: Marvich, Maria

Date Filed: August 31, 2001

Group: 1633

For: **CHIMERIC PROMOTERS CAPABLE OF MEDIATING GENE EXPRESSION
IN PLANTS UPON PATHOGEN INJECTION AND USES THEREOF**

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Nicholas Zachariades, Registration No. 56,712

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir/Madam:

In accordance with the duty of disclosure under 37 C.F.R. §1.56, Applicant hereby notifies the U.S. Patent Office of the documents listed on the attached Form PTO/SB/08A. Copies of the foreign patent references are enclosed.

Applicant certifies that each item of information contained in the Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Supplemental Information Disclosure Statement.

Submission of the listed documents is not intended as an admission that such documents constitute prior art against the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove the listed documents as competent references against the present application. Applicant submits that the present invention is patentable over the cited references. No fee is believed due however, the Commissioner is authorized to charge any fee deficiencies to Deposit Account No. 50-0951.

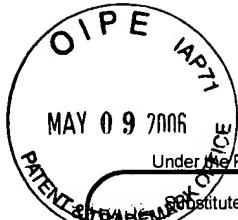
Respectfully submitted,

AKERMAN SENTERFITT

Date: May 5, 2006


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Tel: 561-653-5000
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Docket No. 9730-1



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Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 12

Complete if Known

Application Number	09/831,272
Filing Date	August 31, 2001
First Named Inventor	Christopher KIRCH
Art Unit	1633
Examiner Name	Marvich, Maria
Attorney Docket Number	9730-1

FOREIGN PATENT DOCUMENTS

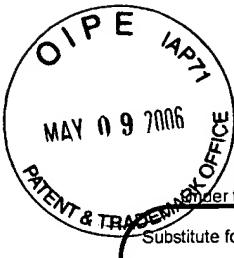
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
		WO 98/03536 A1	01-29-1998	Novartis Corporation		
		WO 95/03690 A1	02-09-1995	Virginia Tech Intellectual Properties Inc		
		WO 96/36697 A1	11-21-1996	Board of Trustees of the University of Kentucky		
		WO 96/28561 A1	09-19-1996	Max-Planck-Gesellschaft		

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

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Application Number	09/831,272	
Filing Date	August 31, 2001	
First Named Inventor	Christopher KIRCH	
Art Unit	1633	
Examiner Name	Marvich, Maria	
Sheet	2	of 2
	Attorney Docket Number	
	9730-1	

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		Van De Locht, U. et al. "A 125 bp promoter fragment is sufficient for strong elicitor-mediated gene activation in parsley", 1990, The EMBO Journal, 9(9):2945-2950	
		Raventos, D. et al. "A 20 bp cis-acting element is both necessary and sufficient to mediate elicitor response of a maize PRms gene", 1995, The Plant Journal, 7(1):147-155	
		Rushton, P. et al. "Interaction of elicitor-induced DNA-binding proteins with elicitor response elements in the promoters of parsley PR1 genes", 1996, The EMBO Journal, 15(20):5690-5700	

Examiner Signature	Date Considered
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